

Reddie & Grose

Chartered Patent Agents
European Patent Attorneys
Trade Mark Agents

16 Theobalds Road
London WC1X 8PL

Telephone 071-242 0901
Fax 071-242 3290
Fax 071-242 0286
Telex 25445
DX 280

Fish & Neave,
875 Third Avenue,
New York,
N.Y. 10022-6250,
United States of America.

Attention: Jeffrey H. Ingerman Esq.

RECEIVED

JUN 04 1992

FISH & NEAVE - PATENT DEPT.
REFERRED TO
NOTED BY

John H. Bass B.Sc.
P. Antony Smith M.A.
F.A.B. Valentine M.A.
Richard C. Abnett M.A.
Paul A. Brereton M.A.
Keith E. Geering B.A.
Nicholas S. Marlow B.Sc.
Linda J. Harland B.Sc.
Jonathan M. Davies D.Phil
Patrick A.D. Lloyd B.Sc.

D.S. Jackson B.Sc.
J.J. Day B.Sc.

Consultant
David A. Pears M.A.

1st June 1992

JHB/HLW/30591

Dear Jeff,

Finnish Patent Application No. 893,525
Your ref: PM-1322 (Finland) - Our file: 30591

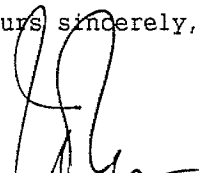
Thank you for your letter of 16th March 1992. I enclose a copy of the response as filed.

The claims have not been amended, presumably because our associate thought that amendment would not help to deal with the particular objections.

In my instructions, I emphasised that the Examiner's objection to omission of the "mouthpiece element" from the main claim was only appropriate if something specifically identifiable as such an element was an essential part of the article. I pointed out that the expression was used in the dependent claims to mean a particular kind of element specifically provided for the purpose. In general, however, the article could be used by simply drawing on a plain end to the tube and, while this might conveniently be regarded as the "mouthpiece" it would be stretching the language too far to call it a "mouthpiece element" where the specification used this term to identify a distinct structure. Since no amendment has been made in the claim, I presume that our associate has presented this argument to the Examiner.

On novelty, I stressed the novel function achieved by the structure identified in the characterising part of the claim.

Yours sincerely,



J. H. Bass

Enc.
c.c. Beverly A. Monroe (with enclosures)

R&G

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